PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, SEPTEMBER 9 19 80

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE COUNCIL CHAMBERS Tuesday EVENING September 9 A.D., 19 80, IN Regular SESSION. PRESIDENT Vivian G. Schmidt IN THE CHAIR, AND Charles W. Westerman CLERK, AT THE DESK, PRESENT THE FOLLOWING MEMBERS VIZ: 9/1

BURNS ✓, EISBART ✓, GiaQUINTA ✓,
NUCKOLS ✓, SCHMIDT, D. ✓, SCHMIDT, V. A,
SCHOMBURG ✓, STIER ✓, TALARICO ✓,

ABSENT

COUNCILMAN , , ,
, , ,

THE INVOCATION WAS GIVEN BY

RECEIVED REPORT FROM THE CITY CONTROLLER FOR THE MONTH OF , 19 . MOTION MADE AND CARRIED THAT REPORT BE MADE A MATTER OF RECORD AND PLACED ON FILE.

THE MINUTES OF THE LAST REGULAR August 26, 19 80,
, 19 ,
SPECIAL , 19 ,
SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.

Committee Room

CALL, CONSENT AND WAIVER OF NOTICE OF A SPECIAL MEETING OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, TO BE HELD

Friday, Sept. 12, 1980 - 7:00 P.M.

ROOMS 128 & 126

We, the undersigned, being all of the members of the Common Council of the City of Fort Wayne, Indiana do hereby call a special meeting of said Council to be held on Friday, Sept. 12 - 1980 at 7:00 o'clock P.M., E.S.T. and jointly and severally waive notice of the time, place and purpose of said meeting and consent that same be held on the aforesaid date for the purpose of R-80-09-04 & R-80-09-05

R-80-09-04 - A Resolution finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $10,000.000 Economic Revenue Bonds of the City of Fort Wayne, Indiana for the purpose of inducing the Applicant to proceed with the acquisition, and equipping of the Project (Scout Corporation)

R-80-09-05 - A Resolution finding, determining and ratifying an inducement resolution of theFort Wayne Economic Development Commission authorizing the issuance and sale of $10,000,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, and equipping of the Project (REG Properties-EJH Projec

DATED THIS 9th Day of Sept. 1980

MADE A MATTER OF RECORD
DATE 9-9-80 CHARLES W. WESTERMAN, CITY CLERK

CHARLES W. WESTERMAN
CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

August 26, 1980

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, August 26, 1980, I have approved the following ordinances passed by the Common Council at its special meeting on August 25, 1980.

(Bill No. A-80-07-41)
(as amended)
APPROPRIATION ORDINANCE NO. A-17-80

AN ORDINANCE appropriating moneys for the purpose of defraying the expenses of the several departments of the City Government of the City of Fort Wayne, Indiana, for the fiscal year beginning January 1, 1981, including all outstanding claims and obligations and fixing a time when the same shall take effect

(Bill No. S-80-07-42)
SPECIAL ORDINANCE NO. S-94-80

AN ORDINANCE fixing the tax rate and the tax levy for the City of Fort Wayne for the year 1981

Respectfully yours,

Win Moses, Jr.
Mayor

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

August 29, 1980

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, August 29, 1980, I have approved the following ordinances passed by the Common Council at its regular meeting of August 26, 1980.

(Bill No. A-80-08-01)
APPROPRIATION ORDINANCE NO. A-18-80

AN ORDINANCE transferring additional funds to Account No. 4-02-010-009-4530 in the 1980 budget of the Law Department for the purpose of concluding settlement of a claim in the amount of $7,000.00

(Bill No. A-80-08-02)
APPROPRIATION ORDINANCE NO. A-19-80

AN ORDINANCE appropriating $10,000.00 from the Revenue Sharing Trust Fund to the 1980 budget of the City Controller to assist in funding the expenses of the Horizon Council

(Bill No. S-80-08-03)
SPECIAL ORDINANCE No. S-95-80

AN ORDINANCE ratifying and approving a contract with the Fort Wayne Horizons Council and the Board of Commissioners of Allen County from the funding of the employment by the Council of a Director and secretarial staff at a cost to the City of $10,000.00

(Bill No. S-80-08-04)
SPECIAL ORDINANCE NO. S-96-80

AN EMERGENCY ORDINANCE establishing the position of a full-time Director and Chairman of the Board of Public Safety

(Bill No. S-80-08-06)
SPECIAL ORDINANCE NO. S-97-80

AN ORDINANCE approving City Utilities Purchase Order No. 4-08744 with Allen County Motors, Inc. for equipment for the Traffic Engineering Department

(Bill No. S-80-08-07)
SPECIAL ORDINANCE NO. S-98-80

AN ORDINANCE approving a contract between the City of Fort Wayne and Zollner Corporation for fire protection to premises outside the City

(Bill No. R-80-08-22)
RESOLUTION NO. R-63-80

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

(Bill No. G-80-06-14)
(as amended)
GENERAL ORDINANCE NO. G-15-80

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating a portion of Lenox Street

(Bill No. G-80-06-15)
GENERAL ORDINANCE NO. G-16-80

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating a portion of N/S alley lying South of High Street and East of Barthold Street

(Bill No. S-80-08-11)
SPECIAL ORDINANCE NO. S-99-80

AN ORDINANCE approving City Utilities Purchase Order No. 2386 with Pitney Bowes for Office Services Department

Respectfully yours,

Win Moses, Jr.
Mayor

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

28 August 1980

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-80-07-11

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
28th day of August 1980.

M. Joyce Schlatter

Joyce Schlatter
Secretary

69-153-19 9/3/80

RESOLUTION NO. 69-153-19

WHEREAS, ROBERT HURSH has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of a public street situated in Fort Wayne, Allen County, to-wit:

> Beginning at a point 30 feet south of the northeast corner of Lot #102, Cambridge Hill Addition, thence on a curve to the right with a radius of 20 feet; an arc distance of 31.42 feet to the south line of said Lot, thence west a distance of 98 feet to the southwest corner of said Lot, thence south 50 feet to the northwest corner of Lot #103, Cambridge Hill Addition, thence east a distance of 98 feet, thence on a curve to the right with a radius of 20 feet; an arc distance of 31.42 feet to the east line of said Lot, thence north 90 feet to the Point of Beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of public street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN )

I, Mark L. Akers, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held and as same appears of record in the official records of said Board of Public Works.

DATED THIS 3rd DAY OF September 19 80

FORT WAYNE BOARD OF PUBLIC WORKS

Mark L. Akers, Chairman

Herbert R. Gamache, Member

Roberta Anderson-Staten

# R E S O L U T I O N

WHEREAS, ROBERT HURSH has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of a public street in Fort Wayne, Allen County, to-wit:

> Beginning at a point 30 feet south of the northeast corner of Lot #102, Cambridge Hill Addition, thence on a curve to the right with a radius of 20 feet; an arc distance of 31.42 feet to the south line of said Lot, thence west a distance of 98 feet to the southwest corner of said Lot, thence south 50 feet to the northwest corner of Lot #103, Cambridge Hill Addition, thence east a distance of 98 feet, thence on a curve to the right with a radius of 20 feet; and arc distance of 31.42 feet to the east line of said Lot, thence north 90 feet to the Point of Beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on August 18, 1980 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street.

WHEREAS, said vacation of the portion of the public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED no public utility occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said public street in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN )

I, Joyce Schlatter, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held August 25, 1980, and as the same appears of record in the official records of said Plan Commission.

FORT WAYNE CITY PLAN COMMISSION

DATED THIS 2nd DAY OF August 1980

Joyce Schlatter

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

28 August 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held August 25, 1980. In addition to the reasons outlined in the resolution, the following are additional pertaining to the ordinance involved.

1. Bill No. Z-80-07-11

2. From R-1 to M-1

3. Intended Use: Garage

4. Plan Commission Recommendation: DO NOT PASS

   This ordinance received a DO NOT PASS recommendation for the following reason:

   a. The lots with frontage on Boone Street, with the exception of the two lots southwest of the corner of Boone and Cherry Street, are occupied by residential dwellings. The development of an industrial use between residential uses will cause further deterioration in an area that has received considerable attention, through the block grant, to improve residential desirablity.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten

Gary F. Baeten
Senior Planner

GFB:pb

AN EQUAL OPPORTUNITY EMPLOYER

30

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 8, 1980, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-07-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 18, 1980;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 25, 1980.

Certified and signed this
28th day of August 1980.

Joyce Schlatter

Joyce Schlatter
Secretary

Z-80-07-11

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 August 1980

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-80-07-12

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of August 1980.

Joyce Schlatter

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 August 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held August 25, 1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-80-07-12

2. From R-3 to R-2

3. Intended Use: Neighborhood Down Zoning (West Central)

4. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   a. The rezoning of this property will aid in the stabilization of a viable residential neighborhood.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

AN EQUAL OPPORTUNITY EMPLOYER

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 8, 1980, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-07-12; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 18, 1980;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 25, 1980.

Certified and signed this
29th day of August 1980.

T. Joyce Schlatter

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

28 August 1980

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-80-07-10

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
28th day of August 1980.

T. Joyce Schlatter

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

28 August 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held August 25, 1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-80-07-10

2. From R-1 to B-3-B

3. Intended Use: No intended Use Given

4. Plan Commission Recommendation: DO NOT PASS

   This ordinance received a DO NOT PASS recommendation for the following reason:

   a. The Commission found this block to contain well maintained residential homes. The Site inspection also revealed that two single family homes exist on Lot #35, two home on the west half of Lot #34 and homes on Lot #33. We feel that because the predominant use of this block is well maintained residential, that this request should be denied.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 8, 1980, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-07-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 18, 1980;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 25, 1980.

Certified and signed this
28th day of August 1980.

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 August 1980

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-80-07-13

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of August 1980.

W. Joyce Schlatter

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 August 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held August 25,1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-80-07-13

2. From R-1 to R-3

3. Intended Use: Insurance Offices

4. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   a. This rezoning will help continue the office development occurring along Lake between Randalia and Coliseum Blvd.

If there are any questions with regard to this ordinance please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 8, 1980, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-07-13; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 25, 1980;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 25, 1980.

Certified and signed this
29th day of August 1980.

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

2 September 1980

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated street.

The proposed ordinance is designated as:

BILL NO. G-80-07-31

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
2nd day of September 1980.

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

2 September 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) street vacation ordinance acted upon by the City Plan Commission at their regular meeting held August 25, 1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-80-07-31

2. Intended Use: Vacated right-of-way will be utilized by the abutting property owners.

3. Plan Commission Recommendation: DO PASS with conditions.

   a. Subject to all necessary utility easements.

NOTE: All easements required have been granted a copy of the Grant of Easements are attached to the original ordinance and are on file in the Plan Commission Office.

If there are any questions with regard to this ordinance, please feel free to call on us.

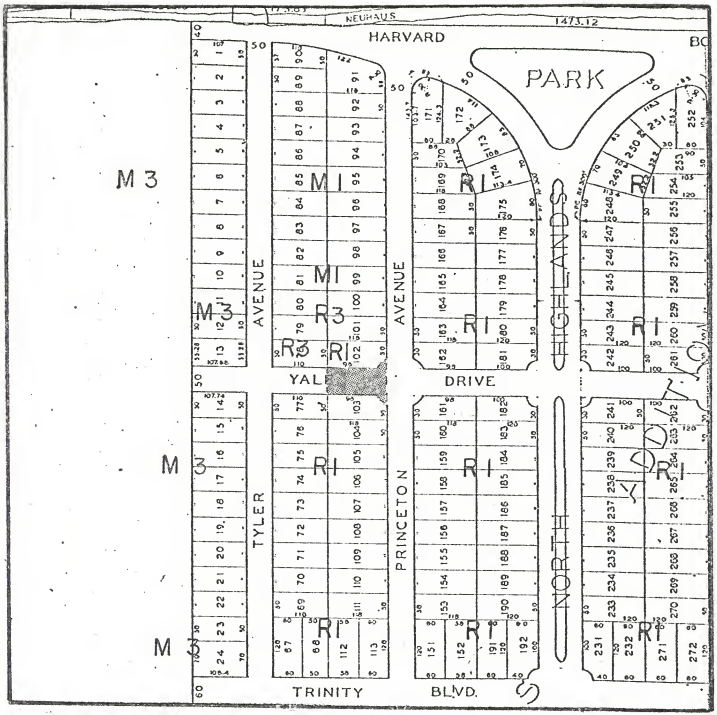
Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

AN EQUAL OPPORTUNITY EMPLOYER




PORTION OF STREET TO BE VACATED

Map No. J-18

N

G-80-07-31

PREPARED BY RK

DATE 5-20-80

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

3 September 1980

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-79-11-14

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
3rd day of September 1980.

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

3 September 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.

1. Bill No. Z-79-11-14

   This ordinance is being returned to Council to be WITHDRAWN because of the fact that the private restrictions on the property prohibit all but residential uses. The petitioner wished to rezone from an R-A to an R-3 and request a variance from the Board of Zoning Appeals for office uses.

NOTE: Attached is a letter sent to the petitioner explaining this situation. The letter was sent by registered mail.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten (pb)

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

AN EQUAL OPPORTUNITY EMPLOYER

THE CITY OF FORT WAYNE
COMMUNITY DEVELOPMENT & PLANNING
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

November 15, 1979

Mr. Mark Wells
Apt. TH 24
6408 Covington Road
Ft. Wayne, Indiana 46804

Re: Rezoning request for lot #25 of Glenwood Park Addition.

Dear Mr. Wells:

We have received a request from Thomas Wells and Evelyn Wells to rezone lot number 25 of Glenwood Park from "RA" to "R-3". The Glenwood Park Subdivision plat contains private restrictions which read as follows:

> "1. Land Use and Building Type: No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single family dwelling and a private garage for not more than two cars."

The City Zoning Ordinance in reference to plat restrictions states:

> "Section 31. When Other Provisions More Restrictive. Whenever the provisions of any statute or of any other chapter of this Code or of any other ordinance of this city, or any restriction or limitation established by plat or deed or otherwise running with the land, is more restrictive or imposes higher standards than are required by this chapter, the provisions of such statute, chapter, ordinance, plat deed, restriction or limitation shall govern."

It is our opinion that any action taken by the City of Fort Wayne regarding your rezoning request will be superceded by the private restrictions which are more restrictive than the "R-3" zoning district permits.

Sincerely,

Gary Baeten
Senior Planner

cc: file

AN EQUAL OPPORTUNITY EMPLOYER

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 13, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-11-14; and,

WHEREAS, the proposed ordinance has been requested WITHDRAWN by the City Plan Commission because private restrictions prohibit all but residential uses on the property involved;

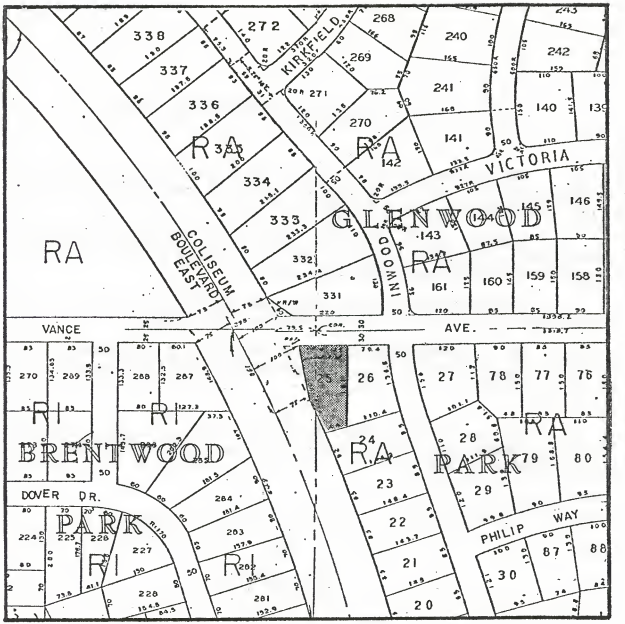
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 3, 1980.

Certified and signed this
3rd day of September 1980.

Joyce Schlatter
Secretary




RECLASSIFY ZONING FROM RA TO R3

BILL NO.

MAP NO. S-18

10-8-79

Z-79-11-14

N

REVISED 10-18-79

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 72/80/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Helen P. Brown

Helen P. Brown, Acting Chairperson
Board of Public Safety

# RETURN CERTIFICATE

(Regulatory Resolution No. 72/80/E)

I hereby certify that I did this 27th day of August, 1980 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 72/80/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Helen P. Brown

XXXXXXX, Board of Public Safety
MEMBER

REGULATORY RESOLUTION NO. 72/80/E

(Adopted August 27, 1980)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 50/80/E: NO PARKING (TEMPORARY) (EMERGENCY): AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 26, 1980, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 27, 1980, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (TEMPORARY) (EMERGENCY)

Harrison St. -- west side -- from Main St. to Alley So. thereof

Harrison St. -- west side -- from Wayne St. to Alley So. thereof

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 73/80/E
74/80/E
75/80/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Helen P. Brown

Helen P. Brown, Chairperson
Board of Public Safety

R E T U R N  C E R T I F I C A T E

(Regulatory Resolution No. 73/80/E, 74/80/E, 75/80/E)

I hereby certify that I did this 2nd day of September, 19 80 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 73/80/E, 74/80/E, 75/80/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Helen D. Brown

XXXXXXXX, Board of Public Safety
MEMBER

REGULATORY RESOLUTION NO. 73/80 /E

(Adopted September 2, 19 80 )

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to DELETE: TRAFFIC SIGNALS (EMERGENCY) AND STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 27, 19 80, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 2, 19 80, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

TRAFFIC SIGNALS (EMERGENCY)

| | | |
|---|---|---|
| 1. Calhoun St. | and | Dewald St. |
| 2. Lewis St. | and | Harmar St. |
| 3. Coombs St. | and | Wayne St. |
| 4. Maumee Ave. | and | Chute St. - University St. |
| 5. Van Buren St. | and | Wayne St. |
| 6. Barr St. | and | Jefferson St. |

STOP INTERSECTION (EMERGENCY)

| | | |
|---|---|---|
| DeWald St. | -stop - | for Calhoun St. |
| Harmar St. | -stop - | for Lewis St. |
| Coombs St. | -stop - | for Wayne St. |
| Chute St. | -stop - | for Maumee Ave. |
| University St. | -stop - | for Maumee Ave. |
| Wayne St. | -stop - | for Van Buren St. |
| Barr St. | -stop - | for Jefferson St. |

REGULATORY RESOLUTION NO. 74/80/E

(Adopted September 2, 1980)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY) AND DELETE: STOP INTERSECTION ( EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 27, 1980, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 2, 1980, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Tilden Ave. -- stop -- for Pemberton Dr.

DELETE:

STOP INTERSECTION (EMERGENCY)

Pemberton Dr. -- stop -- for Tilden Ave.

REGULATORY RESOLUTION NO. 75/80/E

(Adopted September 2, 19 80 )

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to THRU STREET (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 27, 19 80, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 2, 19 80, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

THRU STREET (EMERGENCY)

Coldwater Rd. -- from -- Clinton St. to the north City Limits except at Clinton St., entrance to Glenbrook, Coliseum Blvd., Essex Lane, Washington Ctr. Rd. and Cook Rd.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 76/80/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Helen P. Brown

Helen P. Brown, Acting Chairperson
Board of Public Safety

# RETURN CERTIFICATE

(Regulatory Resolution No. 76/80/E)

I hereby certify that I did this 4th day of September, 19 80 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 76/80/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Helen P. Brown

~~CHAIRMAN~~, Board of Public Safety
MEMBER

REGULATORY RESOLUTION NO. 76/80/E

(Adopted September 4, 19 80 )

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 2, 19 80, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 4, 19 80, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Larch Lane -- stop -- for Bethany Lane

STATE OF INDIANA

INDIANA STATE HIGHWAY COMMISSION
100 North Senate Avenue
Indianapolis, Indiana 46204

INDIANAPOLIS
Room 1101, State Office Building
317-232-5533

August 27, 1980

City Clerk
City County Building
Ft. Wayne, IN 46802

Re: US 27 & SR 1
City of Ft. Wayne
Allen County
Preferentiality

Dear Sir/Madam:

Attached is a copy of a resolution establishing preferentiality at the above location as approved by the State Highway Commission on August 25, 1980.

Very truly yours,

Clinton A. Venable
Chief, Division of Traffic

cc: Mayor R. Armstrong
Clerk of Circuit Court
State Police
Ft. Wayne District

CAV/md

An Equal Opportunity Employer

NOTICE OF OFFICIAL ACTION
OF
INDIANA STATE HIGHWAY COMMISSION

135-80

WHEREAS, under and by virtue of the Statutes of the State of Indiana relative to traffic regulation, the Indiana State Highway Commission has the authority and the duty to adopt and promulgate regulations in the interest of the safety and convenience of the traveling public using the highways, including streets in cities and towns, under the control of said Commission, be it known that the following traffic regulation is hereby adopted:

Preferentiality shall be established at the intersection of US 27 and SR 1 (Paulding Rd.) in the City of Ft. Wayne, Allen County, as follows:

This intersection is signalized and in the event of need for a flashing operation of the signals, the signals shall flash Amber to US 27 and Red to SR 1 (Paulding Rd.).

All traffic on both approaches of SR 1 (Paulding Rd.) shall Stop before entering the intersection of US 27 and SR 1 (Paulding Rd.) during the flashing operation of the traffic signals. (Existing Commission No. 01-002-107)

NOTE: This action amends and/or supersedes previous official action at the above named location (s).

ADOPTED THIS 25th DAY OF August 19 80

Approved: _____ Indiana State Highway Commission
Chief, Division of Traffic

Approved: _____ BY: _____
Chief of Highway Operations Executive Director

Approved: _____ ATTEST:
Chief Highway Engineer

_____
Secretary to the Commission

PRESIDENT OF THE COMMON COUNCIL

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

Vivian G. Schmidt -:- Councilwoman-at-Large

2621 East Maple Grove Avenue, Fort Wayne, Indiana 46806

SEPTEMBER 3, L930

TO THE COMMON COUNCIL
FORT WAYNE, INDIANA

GENTLEMEN:

I SHALL BE OUT OF TOWN ON THE EVENING OF SEPTEMBER 9, 1930, BECAUSE OF PREVIOUS COMMITMENTS.

SINCERELY,

VIVIAN G. SCHMIDT
PRESIDENT OF COMMON COUNCIL

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 9th day of September, 19 80 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19_____.

_____
Charles W. Westerman
City Clerk